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OR PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

CCA-10-PCT-US

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/558350

INTERNATIONAL APPLICATION NO.

PCT/US2004/017831

INTERNATIONAL FILING DATE

June 7, 2004

PRIORITY DATE CLAIMED

June 5, 2003

TITLE OF INVENTION

METHODS OF TREATING HYPERPROLIFERATIVE CELL DISORDERS

APPLICANT(S) FOR DO/EO/US

Achkar et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

☒ This application is the national stage filing of corresponding international application number PCT/US2004/017831, filed June 7, 2004, which claims priority to and benefit of US Provisional Application No. 60/476,412, filed June 5, 2003.


1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 1 54(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98; PTO 1449 and references cited therein.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A paper and computer-readable form of the sequence listing
18. A second copy of the published international application under 35 U.S.C. 1 54(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 1 54(d)(4).
20. ☒ Other items or information: International Search report, International Preliminary Examination Report

EXPRESS MAIL LABEL NO. EV636003380US

DATE OF DEPOSIT: November 23, 2005

| | | | | | |
|---|--------------|---|------------|---------------------------------------|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/558350 | | INTERNATIONAL APPLICATION NO. PCT/EP2004/003684 | | ATTORNEY'S DOCKET NUMBER 57708/460 | |
| The following fees are submitted: | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... | | | | \$300 | |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))..... | | | | \$0.00 | |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... | | | | \$0.00 | |
| All other situations..... | | | | \$200.00 | |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))..... | | | | \$0.00 | |
| If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... | | | | \$0.00 | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... | | | | \$100.00 | |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... | | | | \$400.00 | |
| All other situations..... | | | | \$500.00 | |
| TOTAL OF 21, 22 and 23 = | | | | \$300.00 | |
| <input type="checkbox"/> Additional Fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of Each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| -100 = | /50 = | | x \$250.00 | \$ | |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | \$00.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 47-20 | 27 | x \$27.00 | \$729.00 | |
| Independent claims | 4-3 | 1 | x \$200.00 | \$200.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00 | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$1,229.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2 | | | | | |
| SUBTOTAL = | | | | \$614.50 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$614.50 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | + | |
| TOTAL FEES ENCLOSED = | | | | \$614.50 | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$614.50</u> to cover the above fees is enclosed.</p> <p>b. Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: center;"> SIGNATURE</p> <p style="text-align: center;">Charles C. Achkar , Applicant, 7855 Boulevard East #22i, North Bergen, NJ 07047 USA. Phone: 201-724-7484</p> | | | | | |